

its authority? What is its ability to protect itself from invasion from abroad? No State can possess the power of nationality unless it has the element of strength to maintain it. The colonies were different from each other in character. We had a proprietary system, a charter system, and a provincial system, and they all differed. We were all, as has been said, under the control of the British crown. But the people of each colony had peculiarities, which naturally inclined them to be sectional and exclusive, to claim certain rights and to desire to maintain them within their jurisdiction. But the necessity arose afterward for them to unite their strength in one common warfare in their common defence. There was a natural tendency on the part of the people, from necessity and from the character of their governments, to become a united people, furnishing in the early history of the colonies the germ of the nationality which has been maintained down to the present day.

I therefore insist that States, exclusively as such, dependent upon themselves, in the absence of the authority of the General Government, could not long maintain themselves as States. Virginia was larger than she is now. A State may be a lesser unit than it is now, or it may be a greater unit; but its existence depends upon its power, its ability to protect itself and maintain itself independent of other powers adjacent to it. These necessities were manifest to our people from the beginning. They were manifest through all the changes through which they passed as a people down to the time when they adopted the Constitution of the United States as it now exists. In reference to that Constitution there have been various speculations and theories, growing out of the traditions and feelings handed down from our fathers, which have had an importance given to them which they did not possess within themselves. Other interests have arisen since, within the States, and men have availed themselves of the States' rights theory for the purpose of pressing these interests upon the minds of the people of the country. Other causes have arisen. Demagogues, seeking to avail themselves of these pretexts that might be popular with the people of certain sections of the country, have urged these questions and agitated them before the people. Nevertheless, this same germ of nationality exists, and must be maintained by the people if they want safety, peace and happiness. Let me here give the views of Daniel Webster, which I will read as my own views in support of the article under consideration:

"1. That the Constitution of the United States is not a league, confederacy, or compact, between the people of the sovereign capacities; but a government proper, founded on the adoption of the people, and creating direct relations between itself and individuals.

"2. That no State authority has power to dissolve these relations; that nothing can dissolve them but revolution; and that, consequently, there can be no such thing as secession without revolution.

"3. That there is supreme law, consisting of the Constitution of the United States, acts of Congress passed in pursuance of it, and treaties; and that in cases not capable of assuming the character of a suit in law or equity, Congress must judge of, and finally interpret the supreme law, so often as it has occasioned past acts of legislation; and, in cases capable of assuming, and actually assuming, the character of a suit, the Supreme Court of the United States is the final interpreter.

"4. That an attempt by a State to abrogate, annul, or nullify an act of Congress, or to arrest its operation within her limits, on the ground that, in her opinion, such law is unconstitutional, is a direct usurpation on the just powers of the General Government, and on the equal rights of other States; a plain violation of the Constitution, and a proceeding essentially revolutionary in its character and tendency."

Upon the question that has been mooted here, whether the people who framed the Government of the United States and the Constitution of the United States ignored the idea of nationality, Mr. Webster says:

"Finally, sir, how can any man get over the words of the Constitution itself? 'We the people of the United States do ordain and establish this Constitution.' These words must cease to be a part of the Constitution; they must be obliterated from the parchment on which they are written, before any human ingenuity or human argument can remove the popular basis on which that Constitution rests, and turn the instrument into a mere compact between the sovereign States.

"But, sir, let us go to the actual formation of the Constitution; let us open the journal of the Convention itself, and we shall see that the very first resolution which the Convention adopted, was 'that a national government ought to be established, consisting of a supreme legislature, judiciary and executive. This itself completely negatives all idea of league, and compact, and confederation. Terms could not be chosen more fit to express an intention to establish a national government, and to banish forever all notion of a compact between sovereign States.

"This resolution was adopted on the 30th of May. Afterwards the style was altered, and instead of being called a national government, it was called the Government of the United States; but the substance of this resolution was retained, and was at the head of that list of resolutions which was afterwards sent to the committee who were to frame the instrument.

"It is true, there were gentlemen in the